

Notice of Allowability

Application No.

09/940,635

Examiner

Abdulahakim Nobahar

Applicant(s)

ASGHARI-KAMRANI ET AL.

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/24/2007.
2. ☒ The allowed claim(s) is/are 21,23-28 and 30-36.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This communication is in response to applicants Amendment received on 09/24/2007.
2. Applicants' arguments with respect to the claims rejections under 35 USC 103 have been fully considered and are persuasive. Therefore, the rejections have been withdrawn.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicants, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Shawna Shaw, Registration No. 57,091, on November 20, 2007.

The application has been amended as follows:

1. Replace the claims 21, 23, 28 and 30, filed on September 24, 2007 with the corresponding following claims:

Claim 21: A Method for positively identifying and authenticating a user in e-commerce for a transaction based on a digital identity issued by a Central-Entity with whom the user has a pre-existing relationship, the method comprising the steps of:

- a. the user communicates with an External-Entity over a communication network and needs to perform a secure transaction with the External-Entity, wherein the user does not necessarily have a pre-existing relationship with the External-Entity;
- b. the External- Entity requires the user to authenticate himself by providing a valid digital identity before executing the transaction;
- c. the user establishes communication with the Central-Entity over a communication network and submits a request for a dynamic, non-predictable and time-dependent SecureCode in response to the External-Entity's requirement;
- d. the Central-Entity:
 - i. dynamically generates a dynamic, non-predictable and time-dependent SecureCode for the user in response to the user request;
 - ii. algorithmically combines said generated SecureCode with user-specific information before providing the SecureCode to the user;
 - iii. [[ii.]] maintains a copy of said generated SecureCode in its system; and
 - iv. [[iii.]] provides said generated SecureCode to the user,
- e. the External-Entity receives a digital identity from the user, wherein the digital identity comprises a UserName and said generated SecureCode, and forwards said digital identity to the Central-Entity for positive identification, and authentication of the user;
- f. the Central-Entity receives said digital identity, validates said digital identity based on said SecureCode maintained in its system and if valid: positively

identifies and authenticates the user and sends an affirmation message to the External-Entity; and

g. upon receipt of an affirmation message from the Central-Entity, the External-Entity executes the transaction.

Claim 23: The Method of claim 21 [[22]], wherein the user-specific information comprises UserName.

Claim 28: A System for positively identifying and authenticating a user in e-commerce for a transaction based on a digital identity issued by a Central-Entity with whom the user has a pre-existing relationship, the system comprising:

- a. the user in communication with an External-Entity over a communication network and needing to perform a secure transaction with the External-Entity, wherein the user does not necessarily have a pre-existing relationship with the External-Entity;
- b. the External- Entity adapted to require the user to authenticate himself by providing a valid digital identity before executing the transaction;
- c. the user in communication with the Central-Entity over a communication network and with a request for a dynamic, non-predictable and time-dependent SecureCode in response to the External-Entity's requirement;
- d. the Central-Entity adapted to:
 - i. dynamically generate a dynamic, non-predictable and time-dependent SecureCode for the user in response to the user request;

ii. algorithmically combine said generated SecureCode with user-specific information before providing the SecureCode to the user;

iii. [[ii.]] maintain a copy of said generated SecureCode in its system; and

iv. [[iii.]] provide said SecureCode to the user,

e. the External-Entity adapted to receive a digital identity from the user, wherein the digital identity comprises a UserName and said generated SecureCode, and to forward said digital identity to the Central-Entity to identify and authenticate the user;

f. the Central-Entity further adapted to validate the received said digital identity based on said SecureCode maintained in its system, and if valid: to positively identify and authenticate the user, and send an affirmation message to the External-Entity; and

g. the External-Entity further adapted to execute the transaction upon receipt of an affirmation message from the Central-Entity.

Claim 30: The System of claim 28 [[29]], wherein the user-specific information comprises UserName.

2- Please cancel claims 22 and 29.

Allowable Subject Matter

1. Claims 21, 23-28 and 30-36 are allowed.

2. The following is an examiner's statement of reasons for allowance:

The primary reasons for the allowance of the independent claims 21 and 28 are the inclusion of limitations that are not found in the prior arts and they are uniquely distinct features. The closest prior arts are Berg et al (2002/0188481 A1) and Johnson (6,529,885 B1). Berg discloses a financial product and insurance method for assuring the identity and financial viability of a trading counterpart or user, wherein an insurance company provides coverage to a user of an online marketplace guaranteeing the identity and financial viability of a trading counterpart. Berg invention is further directed to an interactive and dynamic system and method that can verify the identity and financial viability of a trading counterpart or user in an online, trading marketplace. Johnson discloses methods and systems that allow financial transactions to be carried out on a network such as the Internet in a manner that is simple and that ensures the integrity and security of the buyer's personal and financial information. Johnson further discloses e-commerce methods and systems that include financial institutions such as banks or other trusted parties such as governmental agencies or corporations as integral and central participants in Web-based and like transactions.

However, the above two arts, singularly or in combination, fail to anticipate or render the following limitations:

"Claim 22: d. the Central-Entity:

i. dynamically generates a dynamic, non-predictable and time-dependent SecureCode for the user in response to the user request;

ii. algorithmically combines said generated SecureCode with user-specific information before providing the SecureCode to the user".

"Claim 28: d. the Central-Entity adapted to:

i. dynamically generate a dynamic, non-predictable and time-dependent SecureCode for the user in response to the user request;

ii. algorithmically combine said generated SecureCode with user-specific information before providing the SecureCode to the user".

3. The dependent claims 23-27 and 30-36 are allowed because they were originally found to include a unique feature not found in the closest abovementioned art.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdulhakim Nobahar whose telephone number is 571-272-3808. The examiner can normally be reached on M-T 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 21, 2007

Abdulhakim Nobahar
Examiner
Art Unit 2132 *a.n.*

Gilberto J.
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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100